



Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.

2. That the following circumstance(s) exist(s):

☐ City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.

☐ Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

☐ The property has not heretofore been subject to the zoning regulations of the City of Raleigh.

3. That the requested zoning change is or will be in accordance with the Raleigh Comprehensive Plan.

4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:

- 1) to lessen congestion in the streets;
- 2) to provide adequate light and air;
- 3) to prevent the overcrowding of land;
- 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
- 5) to regulate in accordance with a comprehensive plan;
- 6) to avoid spot zoning; and
- 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

Please check boxes
where appropriate

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate.

Signature(s)

Date:

Please type or print name(s) clearly:

EXHIBIT B. Request for Zoning Change

Office Use Only

Petition No. _____

Date Filed: _____

Filing Fee: _____

Please use this form only – form may be photocopied. Please type or print

See instructions, page 6

	Name(s)	Address	Telephone / E-Mail
1) Petitioner(s): Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
2) Property Owner(s):	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
3) Contact Person(s):	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
4) Property Description: Please provide surveys if proposed zoning boundary lines do not follow property lines.	Wake County Property Identification Number(s) (PIN): _____		

	General Street Location (nearest street intersections): _____		

5) Area of Subject Property (acres):	_____		
6) Current Zoning District(s) Classification: Include Overlay District(s), if Applicable	_____		

7) Proposed Zoning District Classification: Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state.	_____		

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

For additional space, photocopy this page.

EXHIBIT C. Request for Zoning Change

Office Use Only

Petition No. _____

Original Date Filed: _____

Amended Date: _____

Please use this form only – form may be photocopied – please type or print. See instruction, page 8.

1) Conditional Use Zone Requested: _____

2) Narrative of conditions being requested:

Note: if additional
space is necessary,
attach extra page(s) of
Exhibit C signed and
dated by all property
owners

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated on Page 7 through 9 of the Zoning Application Instructions.

Printed Name: _____

Signature: _____ Date: _____

Printed Name: _____

Signature: _____ Date: _____

EXHIBIT D. Petitioner's Argument on Behalf of The Zoning Change Requested

Please use this form only – form may be photocopied – please type or print.

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

- A. Please state which District Plan area the subject property is located within and the recommended land use for this property:**

- B. Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.**

- C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?

II. Compatibility of the proposed map amendment with the property and the surrounding area.

- A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

- B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

- C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area

III. Benefits and detriments of the proposed map amendment.

- A. For the landowner(s):

- B. For the immediate neighbors:

- C. For the surrounding community:

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

V. Recommended items of discussion (where applicable).

- a. An error by the City Council in establishing the current zoning classification of the property.
- b. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
- c. The public need for additional land to be zoned to the classification requested.
- d. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

VI. Other arguments on behalf of the map amendment requested.

INSTRUCTIONS for filing a petition to amend the Official Zoning Map of the City of Raleigh, North Carolina

Explanation of the Zoning Process

The City Council of the City of Raleigh permits applicants to file zoning petitions as either General use, Conditional Use or Overlay Zoning Districts.

General Use and Overlay Districts zoning requests involve consideration by City Council and Planning Commission of all uses that could occur on the subject property, if rezoned. It is not permissible to indicate on this application or at the Public Hearing specific development plans (specific use, size and scale of development, prospective tenants, buffering, etc.) concerning this request. Discussion of specific plans or limitations could jeopardize the legality of the zoning. Conditional Use District zoning

requests allow the petitioner to voluntarily impose specific uses and/or design criteria on the subject property throughout the zoning process as long as they are part of the conditions and are more restrictive than the general use or overlay zoning regulations that apply to the property. All conditions adopted as part of the zoning become part of the ordinance and are enforceable by the City. Specific information on Conditional Use District zoning is addressed in Exhibit C. of this petition. If the applicant so chooses to file a Conditional Use District request, Exhibit C. must be completed in addition to Exhibits B. and D.

Deadlines for filing Zoning Applications (Effective: 11/1/07)

<i>Requests shall be filed by:</i>	<i>In order to be heard at the public hearing scheduled for:</i>	<i>The conditions on record for conditional use cases will be advertised for hearing after:</i>
The third Friday of March, 12:00 noon	July	The last Friday of June
The third Friday of June, 12:00 noon	October	The last Friday of September
The third Friday of September, 12:00 noon	January	The last Friday of December
The third Friday of December, 12:00 noon	April	The last Friday of March

Once an application for rezoning is filed, the rezoning case must proceed to the regularly scheduled public hearing or be withdrawn a minimum of 5 weeks prior to the date of the public hearing. The rezoning case may not be "held" or deferred" for a future public hearing date.

INSTRUCTIONS for filing Exhibit B.

In addition to the information requested in Items 1-8 on Exhibit B, an application will not be considered officially filed unless accompanied by:

- 1) A copy of the area as depicted on the City of Raleigh Zoning Map which shows subject property (outlined in red) and other surrounding properties within 100 feet of the subject property. This is obtained from the Raleigh Planning Department or Wake County Geographic Information system (GIS), 5th floor, Wake County Office Building, Salisbury Street Entrance beside the Courthouse. Please label the names of the property owners adjacent to or within 100 feet (excluding right-of-way) of request, on their respective properties. Please provide a property survey, if the request involves only a portion of any recorded parcel. (For adjacent condominium projects, all condominium unit owners are property owners. For adjacent townhouse or cluster unit developments, individual unit owners with the distances described above, as well as the homeowners association should be listed.)
- 2) The \$514.00 General Use Filing Fee, the \$1,028.00 Conditional Use Filing Fee and \$2,570.00 Planned Development Conditional Use Overlay District Filing Fee are nonrefundable.
- 3) If the property being requested for zoning is currently outside Raleigh's extraterritorial jurisdiction area then a corresponding annexation petition must be submitted. The annexation petition will be forwarded to City Council for public hearing authorization, authorization for staff to accept the corresponding zoning petition and authorization for public hearings to amend the ETJ Map and Comprehensive Plan.

In addition to the general requirements of Exhibit B, an applicant may be required to supply the following additional information:

- 1) Location of any floodprone areas (floodway fringe/100-Year floodplain) within the subject request. Please show this information on the Official Zoning Map (information available in the Raleigh Public Works Department, 3rd floor, One Exchange Plaza).
- 2) A plat showing lot lines, existing structure(s) and all components of the Landscape Ordinance (street yards, transition yards, proposed parking and parking lot planting standards) for requests which involve small land areas (less than one-half acre) and/or adaptive re-use of existing structures.

Notes:

- a) Staff suggests that the applicant contact the Raleigh Zoning Enforcement Office (516-2550) to inquire whether City Council or Board of Adjustment can permit the intended use without rezoning.
- b) The applicant is required to notify City staff and provide a copy of any deed (deed book/page number) as evidence of any change of ownership on the subject property between the application deadline date and the date of final City Council action. Failure to do so may invalidate the City Council action.

INSTRUCTIONS for filing Exhibit C.

- 1) The petitioner must fill out Exhibit B form(s) of the rezoning petition in addition to Exhibit C form(s) (Conditional Use District Request).
- 2) All current property owners (as of the date of the application filing) must request the Conditional Use District, specify the conditions, and sign the petition.
- 3) Restrictions must be greater than those in the corresponding General Use District, and greater than development regulations in Part 10 of the City Code. Any condition affecting compliance with the requirements of the Comprehensive Plan, redevelopment plans, or Subdivision Ordinance, or any other city ordinance may require submission of additional information.
- 4) All the applicable minimum standards of the corresponding general use district will apply.
- 5) At the time of filing a request for Conditional Use District, the Petitioner must specify the allowable uses including the maximum number of dwellings or rooming units. If a use limitation is proposed, specify which uses are disallowed. Refer to uses as they are currently contained in the "Schedule of Permitted Land Uses" (Code Section 10-2071) of the Raleigh City Zoning Code. For example, in an Office and Institution-1 Conditional Use District request, the applicant may exclude "a parking lot, parking deck, parking garage." Do not restrict the use to just one use. There should be sufficient flexibility to use the property without another zoning hearing. For example, do not limit the use to just congregate care facilities. Include, for example, uses allowed in the current zoning districts, if appropriate.

Please note:

 - a. No condition should refer to limitation on sale of alcoholic beverages - *the City is prohibited by State law to control the sale of alcoholic beverages.*
 - b. If the conditions permit residences, "supportive housing" (residences for persons who possess a disability or other special situations needing supervised living conditions) cannot be excluded.
- 6) The Petitioner may also specify further conditions including the following:
 - a. Limits on location, orientation, scale, coverage, volume, square footage, height, or setback of buildings, structures, and accessory uses (when a limitation on the number of stories is requested, include the maximum height of the building).
 - b. Specifications on the location and extent of landscaped areas; character of buffering/transition areas between the proposed use or uses and adjoining uses. Generally, refer to all buffer areas as "protective yards" a defined term in the Raleigh City Zoning Code. Whenever a protective yard is requested, it is important to specify:
 1. The width of the protective yard.
 2. The properties adjoining this protective yard, including Parcel Identification Number (PIN) and reference to a recorded instrument, such as a deed or map (PIN change). Submit a map illustrating the buffers with the adjoining parcels clearly marked with the owners and PIN.
 3. Minimum planting specifications:
 - size at the time of initial planting
 - expected height in three or five years
 - spacing (on center) between plants
 - number of plants and rows evergreen or deciduous
 4. If existing foliage is to be maintained, describe
 - size of plants to be preserved, and specific replacement material for damaged, missing and dead foliage.
 - Make allowance for utilities, driveways, storm drainage required by the City.
 5. The planting should exceed that which would be required in the protective yard by the Landscape Ordinance, or no planting specifications should be indicated.
 6. If detailed landscape conditions are specified in the street yard, the scheme should be approved by the City to insure no "sight triangles" for vehicles entering the road are violated.
 - c. The location of access points on public streets (access limits should specify the maximum number and spacing relative to intersections); the circulation system within the site; additional right-of-way or street improvements; utility improvements.

If a dedication of land or construction of a public improvement is listed as a condition, specify a time period within which this dedication or improvement will be accomplished.

Remember dedications of street rights-of-way and fee simple land conveyances must go through subdivision approval, so allow for this in the specified time. The time may be defined as coincidental with the issuance of a building permit or recording of a map, for example.

d. If the zoning would affect the value of a proposed street right-of-way, note that any reimbursement will be based on the current zoning of the right-of-way. (See Code Section 10-3024 for reimbursement values.)

e. Scenic or natural features to be maintained or enhanced, public or private recreation to be provided.

f. Provisions for stormwater management, drainage and storage or velocity controls.

g. Timing and phasing of development on the property.

h. Signage.

i. Appearance of exterior features, including unity of development criteria, building materials and/or fenestration.

j. Residential character including minimum roof pitch, allowable building materials, minimum and maximum percentage of building sides devoted to window openings.

k. Compliance with Urban Design Guidelines. The Planning Department is instructed not to accept an application for rezoning to a conditional use zoning district which specifies compliance with elements of the Comprehensive Plan's Urban Design Guidelines for Mixed-Use Neighborhood and Village Centers unless accompanied by a concept plan [see 10-2165(d)(8)].

- 7) At the time of filing a petition for a Conditional Use District, the Petitioner must describe the conditions proposed in narrative form. It is the policy of the City to discourage the submission of detailed site plans with rezoning cases. "Illustrative Plans" may accompany rezoning cases if specifically and clearly tied to the

written conditions (building footprint, parking locations, protective yards).

- 8) If different limitations are to apply to different portions of the request, make sure these portions of land can be located by reference to a recorded agreement such as a deed or map.
- 9) Proposed conditions may not be requested which are exclusionary with regard to ownership, race, religion, occupancy, or value.
- 10) Once advertised, conditions may only be changed:

- a. By filing an amended Exhibit C form(s), and;
- b. By signature of all property owners on Exhibit C form(s), and;
- c. To be more restrictive or remove properties from the request, and
- d. If submitted within one hundred twenty (120) days after the public hearing, and within fifteen (15) days after City Council receives a recommendation from the Planning Commission. , and;
- e. Be submitted at least two (2) working days prior to Council action adopting the Conditional Use District or Planning Commission action. (The day of City Council or Planning Commission action does not count as a working day.)

- 11) At least six weeks prior to the public hearing date, the applicant *shall* conduct a meeting with the *owners of property* within one hundred (100) feet on all sides of the property(ies) proposed for rezoning (not counting *street rights-of-ways*). At least ten (10) days prior to the meeting date with the *owners of property*, the applicant *shall* notify the *owners of property* about the meeting in accordance with Section 10-2165(b). The applicant *may* use the local Citizens Advisory Council meeting; provided, the meeting time and notices comply with the terms set forth herein. A report of the meeting, made by the applicant, *shall* be given to the Planning Department and mailed by first class post to the *adjacent property owners* four weeks prior to the public hearing date. The report *shall* include, among other things: a list of those persons and organizations contacted about the meeting, and manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning petition made by the petitioner following such meeting.

- 12) Once an application for rezoning is filed, the rezoning case must proceed to the regularly scheduled public hearing or be withdrawn a minimum of 5 weeks prior to the date of the public hearing. The rezoning case may not be “held” or deferred” for a future public hearing date.
- 13) If subsequent to the approval of a Conditional Use Zoning application by the City Council, the Council adopts a new ordinance which conflicts with the earlier approved Conditional Use District application, those provisions of the Conditional Use District Ordinance which conflict with the more recently adopted ordinance will be automatically repealed.

INSTRUCTIONS for filing Exhibit D.

- 1) The petitioner must complete Exhibit D
- 2) The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement shall address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the property and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.
- 3) The Planning Department recommends that the applicant contact the specific “Area Planner” in the Strategic Planning Division to review the proposed zoning change with the recommendations of the Comprehensive Plan (516-2626).
- 4) Upon official submittal of the rezoning petition, the Strategic Planning Division will complete a final analysis for Comprehensive Plan consistency. This analysis will be provided to the applicant, the Planning Commission and the City Council.
- 5) The Planning Commission recommendation to the City Council *shall* include a written statement describing whether the proposed amendment is consistent with the Comprehensive Plan and any other applicable City-adopted plan(s).
- 6) The final action by the *Council shall* include the adoption of a statement describing whether its action is consistent with the Comprehensive Plan and any other applicable City-adopted plan(s) and explaining why the *Council* considers the action taken to be reasonable and in the public interest.

FILING DEADLINE	NEIGHBORHOOD MEETING DEADLINE**	DEADLINE FOR WITHDRAWING A ZONING CASE	MEETING REPORT DEADLINE**	JOINT CITY COUNCIL / PLANNING COMMISSION PUBLIC HEARING	EARLIEST PLANNING COMMISSION RECOMMENDATION	EARLIEST CITY COUNCIL DECISION
NOON		5:00 PM	5:00 PM	6:30 PM	9:00 AM	1:00 PM
12-21-07	3-4-08	3-10-08	3-18-08	4-15-08	4-22-08	5-6-08
3-20-08	6-3-08	6-9-08	6-17-08	7-15-08	7-22-08	8-05-08
6-20-08	9-9-08	9-15-08	9-23-08	10-21-08	10-28-08	11-4-08
9-19-08	12-9-08	12-15-08	12-23-08	1-20-09	1-27-09	2-3-09
12-19-08	3-10-09	3-16-09	3-24-09	4-21-09	4-28-09	5-5-09

NOTE: Additional time may be necessary if the proposed rezoning case is referred to a committee by the Planning Commission or City Council.

The above mentioned dates are subject to change. Please contact the Planning Department at 516-2626 and verify with a zoning staff person.

****These requirements apply only to conditional use rezoning cases.**

At least 10 days prior to the meeting date with the *owners of property*, the applicant *shall* notify the *owners of property* about the meeting; **notice shall be by first class mail or certified mail return receipt**. If notification is to be by first class mail, the applicant *shall* deliver the sealed, addressed, stamped envelopes to the Planning Department **prior to** the aforementioned 10 day period. If notification is to be by certified mail return receipt, copies of the return receipts *shall* be given to the Planning Department at least 4 weeks prior to the public hearing date.

Failure of the applicant of a conditional use case to meet proper notification requirements or hold this meeting within the allotted time period or failure to submit the required report of the meeting within the time period will cause the rezoning request to be withdrawn, the filing fee will be forfeited and the application process must be re-initiated. (Note: The two-year waiting period does not apply in this case as the rezoning request was not advertised for public hearing.)

For More Information Contact:

DeShele Sumpter
Planning
Planning Department
One Exchange Plaza, Suite 304
Raleigh, NC 27601
919-516-2646

If your rezoning application involves one of the following area and/or classifications, note that it will be subject to review by the Raleigh Appearance Commission:

- Downtown Overlay District (DOD)
- Pedestrian Business Overlay District (PBOD)
- Planned Development District (PDD), or
- Rezoning with a Concept Plan

Appearance Commission review entails an initial presentation to the Development review Committee, followed by summary review by the full commission. Both meetings occur the month of the public hearing. Please contact Doug Hill @ (919) 516-2622, doug.hill@ci.raleigh.nc.us at your earliest convenience to confirm the date, time, and location of the two meetings. Application representatives able to speak specifically to design and environmental elements will be required to attend.

The Planning Commission formally adopted the following procedures to allow staff the time necessary to review and respond to revised conditions prior to the scheduled meeting. These procedures were endorsed by the City Council and became effective at the June 13, 2006 Planning Commission meeting.

Receipt of Revised Zoning Conditions (draft) in Order to be Placed on an Upcoming Meeting Agenda. The deadline date for the submittal of revised zoning conditions for a zoning case to be scheduled for an upcoming committee meeting or regularly scheduled Planning Commission meeting shall be the Monday of the week preceding the meeting date (8 days prior to the meeting date). Understanding that many conditional use rezoning applicants may not reside locally or that multiple property owners may be involved, and understanding that representatives of the applicants desire to receive staff comments on the revised conditions prior to securing the property owner(s) signature(s), these revised conditions may be submitted as an unsigned draft.

Upon submittal of revised conditions, the staff will circulate the revised conditions to the City Deputy Attorney, Strategic Planning, Transportation and any other City Division necessary to review the newly revised conditions. Staff will then respond with their comments to the applicant by the Friday preceding the Tuesday meeting. This will allow the applicant an opportunity to either incorporate changes to the conditions or be prepared to respond to comments otherwise at the meeting.

Automatic Deferral. Once a case has been scheduled for an upcoming meeting, should the applicant submit revised conditions to the staff following the Monday deadline or offer revised conditions directly to the members of the Planning Commission by e-mail, letter or otherwise, the zoning case shall be automatically deferred at the upcoming meeting to allow staff the necessary time to review and respond to the revised conditions.

Additional Conditions Suggested by a Member(s) of the Planning Commission for the Applicant's Consideration.

Committee Meeting: In the event that a Committee member(s) requests consideration by the applicant of any additional condition(s) and the applicant responds positively, and if a vote is taken, the Chairman shall consult with the staff liaison as to whether the case should move forward to the next Planning Commission meeting or whether the condition(s) offered at the table requires a 2-week deferral for staff review of the newly proposed conditions.

Planning Commission Meeting: In the event that a Planning Commission member(s) requests consideration by the applicant of any additional condition(s) and the applicant responds positively, the Chairman shall consult with the Planning Director and City Deputy Attorney as to whether the condition(s) offered at the table requires a 2-week deferral of any action on the case for additional staff review. If it is determined that the verbally offered conditions are concise and understood by all parties, the Commission may choose to move forward with a final recommendation.

Receipt of Revised Zoning Conditions (Final) in Order to be Placed on an Upcoming Meeting Agenda.

Committee Meeting: Following a recommendation by the Committee, a final draft of the revised conditions shall be submitted to the Planning Department within 24 hours of the Committee meeting (Wednesday at 12:00pm). The applicant shall then provide the final, signed conditions to the Planning Department prior to the scheduled Planning Commission meeting.

Planning Commission Meeting: Following a final recommendation by the Planning Commission, the final, signed conditions shall be submitted to the Planning Department within 24 hours of the Commission meeting (Wednesday at 12:00pm).

Post-Planning Commission Action: In order that the City Council receives the rezoning request exactly as was voted on by the Planning Commission and documented by its Certified Recommendation, the Planning Department is instructed not to accept revised zoning conditions following the final action by the Planning Commission and before the receipt of the Certified Recommendation by the City Council. [Note: This specific policy was incorporated into the Code per TC-9-06].